

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CENTRIFUGAL FORCE, INC. doing business as  
WISE CHOICE SOFTWARE,

Plaintiff,

– against –

SOFTNET COMMUNICATION, INC.;  
ISM SOFTWARE; MICHAEL MARDKHA  
individually; BENY SOFER, INC.; and  
BENY SOFER individually,

Defendants.

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Case No.: 08 cv 5463 (CM) (GWG)

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law, defendants Beny Sofer and Beny Sofer, Inc., by their undersigned attorneys, hereby move this Court, before the Honorable Colleen McMahon, for an order dismissing the complaint in its entirety, pursuant to Fed. R. Civ. P. 12(b)(6). Answering papers are to be served in accordance with the Individual Practices of Judge McMahon.

Dated: New York, New York  
August 26, 2008

**FELDMAN WEINSTEIN & SMITH LLP**

By: s/David J. Galalis  
Eric Weinstein (EW 5423)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 26, 2008, I electronically filed the foregoing notice of motion and accompanying memorandum with the Clerk of the Court using the ECF system, which shall cause the transmission of a Clerk's Notice of Electronic Filing, which will constitute service upon all ECF Filing-Users, pursuant to Federal Rule of Civil Procedure 5(b)(2)(D), Local Rule 5.2, and Part 9 of the Procedures for Electronic Case filing in the United States District Court for the Southern District of New York.

**FELDMAN WEINSTEIN & SMITH LLP**

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